an agency's denial of information. The bill also holds agencies accountable for their decisions by enhancing the authority of the Office of Special Counsel to take disciplinary action against Government officials who arbitrarily and capriciously deny disclosure.

Mr. Speaker, I strongly support H.R. 1309 and urge all my colleagues to join me in supporting this legislation that will restore public confidence in the administration of the executive branch of the Federal Government.

Mr. UDALL of Colorado. Mr. Speaker, I strongly support this bill, which will increase the transparency and accountability of the Federal Government by making a number of long-overdue revisions to the Freedom of Information Act, or FOIA.

The bill will reemphasize that disclosure is to be the rule, secrecy the exception. It will help people seeking documents to get timely responses, and improve transparency in agency compliance. It will reduce the need for people seeking documents to go to court, and provide accountability for agency decisions on whether to release requested information.

Mr. Speaker, the enactment of FOIA in 1966 was a watershed. It established as fundamental policy the principle that information within the government's control should be available and established a presumptive right for the public to obtain identifiable, existing records of Federal agencies. Anyone can use FOIA to request access to Government information. Requesters do not have to show a need or reason for seeking information, and the burden of proof for withholding requested material rests with the department or agency that seeks to deny the request. Agencies may deny access only to records, or portions of records, that fall within certain specific categories.

FOIA has been used effectively by journalists, public interest organizations, corporations, and individuals to access Government information. But the process could be better—because of delays and backlogs, requesters often have found it hard to learn about the status of their requests, and a recent Supreme Court decision has hampered requesters' ability to litigate their claims.

H.R. 1309 would address these and other concerns about the implementation of FOIA. It is a modest measure, but an important one that deserves the approval of the House.

That's especially true because, as the Rocky Mountain News noted in a recent editorial, "The Bush administration may have been the most openly contemptuous of FOIA's mission since the act first passed. . . President Bush will leave office in 2009, but it's not enough to trust that future administrations will abide by the promise of openness that FOIA represents. The law needs specific measures to ensure accountability, and the amendments within H.R. 1309 mark a large stride forward."

For the information of our colleagues, I attach the complete text of that editorial:

[From the Rocky Mountain News, Mar. 13, 2007]

OPEN RECORDS UPGRADE

CONGRESS HAS CHANCE TO IMPROVE CRITICAL LAW

We welcome bipartisan efforts in Congress to beef up the Freedom of Information Act—the four-decade-old law that affords citizens access to the inner workings of the executive branch.

FOIA could certainly stand a little love, as open Government has been attacked many times since Lyndon Johnson signed the act into law July 4, 1966.

The revisions to FOIA in H.R. 1309, which could come before the full House as early as today, would both shine more light on the nooks and crannies of federal bureaucracies and force agencies to better respect the spirit of the law

Here are a few of the improvements:

The Government would have to act on FOIA requests more quickly. Agencies that did not respond to a request within 20 business days would forfeit any copying and research fees; agencies are now supposed to respond within that period, but there are no penalties.

Federal departments would have to set up FOIA hotlines and individual tracking numbers so that people and organizations that file FOIA requests can easily follow the process

Citizen journalists and freelancers would gain new credibility. An agency could no longer summarily deny FOIA requests from journalists who are not employed or under contract with established media organizations or watchdog groups. Such requests from unaffiliated individuals can now be rejected.

The amended law would force agencies to consider any request to disseminate information to a broad audience as legitimate, particularly if the party making the request has any record of publication (including bloggers).

The Government would have to reimburse the legal fees of more parties that sue under FOIA. Currently, there's only one way a party that has filed suit to enforce a FOIA request can get repaid: The Government has to lose in court. The amendments would force agencies to repay attorney fees if the government turns over records before a final ruling is issued. This would prevent agencies from sticking media groups with attorney fees by surrendering records just before a judge rules.

The Bush administration may have been the most openly contemptuous of FOIA's mission since the act first passed. Former Attorney General John Ashcroft urged Federal agencies to fight FOIA requests and not presume that the public has a right to know what goes on inside the executive branch. The administration also placed gratuitous limits on requests to the Department of Homeland Security.

President Bush will leave office in 2009, but it's not enough to trust that future administrations will abide by the promise of openness that FOIA represents. The law needs specific measures to ensure accountability, and the amendments within H.R. 1309 mark a large stride forward.

 $\mbox{Mr.}$ TURNER. Mr. Speaker, I yield back the balance of my time

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 1309, as amended

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TURNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1254, by the yeas and nays;

H.R. 1255, by the yeas and nays;

H.R. 1309, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2007

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H R. 1254.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. MURPHY) that the House suspend the rules and pass the bill, H.R. 1254, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 390, nays 34, not voting 9, as follows:

[Roll No. 142] YEAS—390

Boyda (KS) Abercrombie Cuellar Ackerman Cummings Brady (PA) Aderholt Brady (TX) Davis (AL) Akin Bralev (IA) Davis (CA) Alexander Brown, Corrine Davis (IL) Brown-Waite. Allen Davis, David Altmire Ginny Davis, Lincoln Andrews Buchanan Davis, Tom Arcuri Burton (IN) Deal (GA) DeFazio Baca Butterfield Bachmann Buyer DeGette Bachus Calvert Delahunt Baird Camp (MI) DeLauro Baker Cantor Dent Diaz-Balart, L. Baldwin Capito Barrett (SC) Diaz-Balart, M. Capps Capuano Dicks Dingell Rean Cardoza. Becerra Carnahan Doggett Berkley Carney Donnelly Berman Carson Dovle Carter Drake Berry Biggert Castle Dreier Bilbray Castor Duncan Bilirakis Chabot Edwards Bishop (GA) Chandler Ehlers Bishop (NY) Clarke Ellison Bishop (UT) Clay Ellsworth Blackburn Cleaver Emanuel Blumenauer Clvburn Emerson Cohen Engel Cole (OK) Boehner Etheridge Bonner Convers Everett Bono Cooper Fallin Boozman Costa Farr Costello Fattah Boren Courtney Feeney Boucher Cramer Ferguson Crenshaw Filner Boustany

Crowley

Forbes

CONGRESSIONAL RECORD—HOUSE

Fortenberry Lungren, Daniel Fossella Frank (MA) Lynch Frelinghuysen Mack Mahoney (FL) Gallegly Garrett (NJ) Maloney (NY) Gerlach Marchant Giffords Markey Marshall Gilchrest Gillibrand Matheson Matsui Gillmor Gonzalez McCarthy (CA) McCarthy (NY) Goode McCaul (TX) Goodlatte McCollum (MN) Gordon McCotter Graves McCrerv Green, Al McDermott Green, Gene Grijalva McGovern McHugh Gutierrez McIntyre Hall (NY) Hall (TX) McKeon McMorris Hare Rodgers Harman McNernev Hastings (FL) McNulty Hastings (WA) Meek (FL) Haves Meeks (NY) Heller Herger Mica Herseth Higgins Hinchey Hinojosa Hirono Hobson Hodes Holden Holt Honda Hooley Hoyer Hulshof Hunter Inglis (SC) Inslee Israel Issa Nadler Jackson (IL) Napolitano Jackson-Lee Jefferson Nunes Jindal Johnson (GA) Obey Johnson (IL) Olver Johnson, E. B. Ortiz Johnson, Sam Pallone Jones (OH) Pascrell Jordan Pastor Kagen Payne Kaptur Pearce Keller Pence Kennedy Kildee Kilpatrick Kind Petri King (NY) Kirk Pitts Klein (FL) Platts Kline (MN) Poe Knollenberg Pomeroy Kucinich Porter Price (GA) Kuhl (NY) LaHood Price (NC) Prvce (OH) Lampson Langevin Putnam Radanovich Lantos Larsen (WA) Rahall Larson (CT) Ramstad Latham Rangel LaTourette Regula Rehberg Lee Levin Reichert Lewis (CA) Renzi Lewis (GA) Reyes Lewis (KY) Reynolds Lipinski Rodriguez Rogers (AL) LoBiondo Loebsack Rogers (KY) Lofgren, Zoe Rogers (MI)

NAYS-34

Rohrabacher

Ros-Lehtinen

Bartlett (MD) Barton (TX) Coble Burgess Campbell (CA) Cubin

Lowey

Lucas

Cannon Culberson Conaway Doolittle English (PA)

Roskam Ross Rothman Roybal-Allard Rovce Ruppersberger Rush Ryan (OH) Ryan (WI) Salazar Sali

Sánchez, Linda Sanchez, Loretta Sarbanes Schakowsky Schiff Schmidt Schwartz Scott (GA) Scott (VA) Serrano Sessions Sestak Shays Shea-Porter

Sherman

Shimkus

Melancon Shuler Shuster Michaud Simpson Millender-Sires Skelton McDonald Miller (FL) Slaughter Miller (MI) Smith (NE) Miller (NC) Smith (NJ) Miller, Gary Smith (TX) Mitchell Smith (WA) Mollohan Snyder Moore (KS) Solis Moore (WI) Souder Moran (KS) Space Moran (VA) Spratt Murphy (CT) Murphy, Patrick Murphy, Tim Stark Stearns Stupak Murtha. Sutton Musgrave Tanner

Taylor Neal (MA) Terry Neugebauer Thompson (CA) Thompson (MS) Oberstar Thornberry Tiahrt Tiberi Tierney Towns Turner Udall (CO) Udall (NM) Unton Van Hollen Perlmutter Velázquez Peterson (MN) Visclosky Peterson (PA) Walden (OR) Pickering Walsh (NY) Walz (MN)

Wamp

Tauscher

Wasserman Schultz Waters Watson Watt Waxman Weiner Welch (VT) Weldon (FL) Weller Wexler Whitfield Wicker Wilson (NM) Wilson (OH)

Wilson (SC)

Wolf

Wvnn

Woolsey

Yarmuth

Young (AK)

Young (FL) Davis (KY)

Jones (NC) King (IA) Flake Paul Foxx Sensenbrenner Franks (AZ) Kingston Shadegg Gingrey Lamborn Tancredo Gohmert Linder Walberg Manzullo Hastert Westmoreland Hensarling McHenry Hoekstra Myrick

NOT VOTING-9

Brown (SC) Granger Miller, George Davis, Jo Ann Kanjorski Saxton Eshoo Meehan Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining on this

□ 1223

Messrs. COBLE, CONAWAY, DAVIS of Kentucky, KINGSTON, ENGLISH of Pennsylvania, LINDER, TANCREDO. KING of Iowa, BURGESS, SENSEN-BRENNER, HOEKSTRA, WALBERG, HENSARLING, LAMBORN, and CAN-NON, Ms. FOXX and Mrs. MYRICK changed their vote from "yea" to "nay."

Mr. JACKSON of Illinois changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRESIDENTIAL RECORDS ACT AMENDMENTS OF 2007

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1255, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 1255, as amended, on which the yeas and nays are or-

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—veas 333, navs 93. not voting 7, as follows:

[Roll No. 143] YEAS-333

Bono Abercrombie Carnahan Ackerman Boozmar Carney Alexander Boren Carson Allen Boswell Carter Altmire Boucher Castle Andrews Boustany Castor Boyd (FL) Chabot Arcuri Boyda (KS) Chandler Baca Baird Brady (PA) Clarke Baker Clay Brady (TX) Baldwin Braley (IA) Cleaver Brown, Corrine Barrow Clyburn Bartlett (MD) Brown-Waite, Coble Bean Ginny Cohen Becerra Burgess Convers Burton (IN) Berklev Cooper Costa Costello Berman Butterfield Berry Buyer Bilirakis Calvert Courtney Bishop (GA) Camp (MI) Cramer Crenshaw Bishop (NY) Capito Blumenauer Capps Crowley Blunt Capuano Cuellar Cummings Cardoza Bonner

Davis (CA) Davis (IL) Davis, Lincoln Davis, Tom DeFazio DeGette Delahunt DeLauro Dent Diaz-Balart, L. Diaz-Balart, M. Dicks Dingell Doggett Donnelly Dreier Duncan Edwards Ehlers Ellison Ellsworth Emanuel Emerson Engel English (PA) Eshoo Etheridge Farr Fattah Ferguson Filner Forbes Fortenberry Frank (MA) Frelinghuysen Gallegly Gerlach Giffords Gilchrest Gillibrand Gillmor Gohmert Gonzalez Goode Goodlatte Gordon Graves Green, Al Green, Gene Grijalva Gutierrez Hall (NY Hare Harman Hastings (FL) Hayes Heller Hergei Herseth Higgins Hill Hinchev Hinojosa Hirono Hobson Hodes Hoekstra Holden Honda. Hooley Hoyer Hulshof Inslee Israel Tssa. Jackson (IL) Jackson-Lee (TX) Jefferson Jindal Johnson (GA) Johnson (IL)

Davis (AL)

Kaptur

Keller

Kennedy

Johnson, E. B. Jones (NC) Jones (OH) Kagen

Aderholt

Bachus

Biggert

Bilbray

Akin Bachmann

Barrett (SC)

Barton (TX)

Kildee Kilpatrick Kind King (NY) Klein (FL) Knollenberg Kucinich LaHood Lampson Langevin Lantos Larsen (WA) Larson (CT) Latham LaTourette Lee Levin Lewis (CA) Lewis (GA) Lipinski LoBiondo Loebsack Lofgren, Zoe Lowev Lynch Mahoney (FL) Malonev (NY) Markey Marshall Matheson Matsui McCarthy (NY) McCaul (TX) McCollum (MN) McCotter McDermott McGovern McHugh McIntvre McMorris Rodgers McNerney McNulty Meek (FL) Meeks (NY) Melancon Michaud Millender-McDonald Miller (MI) Miller (NC) Mitchell Mollohan Moore (KS) Moore (WI) Moran (KS) Moran (VA) Murphy (CT) Murphy, Patrick Murphy, Tim Murtha Nadler Napolitano Neal (MA) Nunes Oberstar Obev Olver Ortiz Pallone Pascrell Pastor Paul Payne Pearce Perlmutter Peterson (MN) Peterson (PA) Petri Pickering Platts Pomeroy

Watt Wolf Woolsey Porter Price (NC) Wvnn Pryce (OH) Yarmuth Young (FL) Radanovich

NAYS-93

Bishop (UT) Blackburn Boehner Buchanan Campbell (CA) Cannon Cantor Cole (OK)

Rahall Ramstad Rangel Regula Reichert Reyes Revnolds Rodriguez Rohrabacher Ros-Lehtinen Ross Rothman Roybal-Allard Rovce Ruppersberger Rvan (OH) Ryan (WI) Salazar Sánchez Linda

T. Sanchez, Loretta Sarbanes Schakowsky Schiff Schwartz Scott (GA) Scott (VA) Serrano Sestak Shays Shea-Porter Sherman Shuler Simpson Sires Skelton Slaughter Smith (NE) Smith (NJ) Smith (WA) Snyder Solis Space Spratt Stark Stearns Stupak Sutton Tanner Tauscher Taylor Terry Thompson (CA) Thompson (MS) Tiahrt Tiberi Tierney Towns Turner Udall (CO) Udall (NM) Upton Van Hollen Velázquez Visclosky Walden (OR) Walsh (NY) Walz (MN) Wamp Wasserman Schultz Waters Watson Waxman Weiner Welch (VT) Wexler Wicker Wilson (OH) Wilson (SC)

Conaway Cubin Culberson Davis (KY) Davis, David Deal (GA) Doolittle

Drake